

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AMY KOCHER and THEODORE J. KOCHER,	)	
	)	No. CV-11-3021-WFN
	)	
Plaintiffs,	)	AMENDED
	)	PROTECTIVE ORDER
vs.	)	
	)	
STARPLEX, dba CROWD	)	
MANAGEMENT SERVICES, and	)	
LIVE NATION WORLDWIDE, INC.	)	
	)	
Defendants.	)	

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This Amended Protective Order (hereinafter "Order") is entered pursuant to Federal Rule of Civil Procedure 26(c). The parties have stipulated and agreed, and the Court recognizes, that the parties and non-party witnesses to this action may possess private medical information and proprietary commercial information which is confidential and may be subject to discovery in this action, but which should not be made available to the public generally.

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The parties may designate materials produced during discovery as "Confidential" pursuant to this Protective Order. All "Confidential" designations

1 must be based on the good faith belief that the information constitutes sensitive  
2 private medical information or proprietary commercial information.

3 2. Materials which are designated as "Confidential" will not be made  
4 available, delivered, exhibited or disclosed to any person other than the Court,  
5 court staff, the named parties, their counsel, counsel's staff and designated experts  
6 and witnesses. Designated experts and witnesses will read and agree to be bound  
7 by this Order by endorsing the following certification on a copy of this Order,  
8 which will be forwarded by opposing counsel before the material is disclosed:

9 I certify that I have received and read a copy of the Amended  
10 Protective Order (ECF No. \_\_\_\_ ) in the matter of *Amy Kocher and*  
11 *Theodore J. Kocher v. Starplex, dba Crowd Management Services,*  
12 *and Live Nationwide Worldwide, Inc., Case No. CV-11-3021-WFN, in*  
13 *the United States District Court, Eastern District of Washington.* I  
14 agree to be bound by it and I understand that I may be subject to  
15 contempt proceedings in United States District Court, Eastern District  
16 of Washington, if I violate it. I further understand that information  
17 designated as "Confidential" in this case, and any notes, memoranda or  
18 other form of information derived from it, may not be used, copied or  
19 disclosed by me to anyone else except in strict accordance with the  
20 Amended Protective Order and then only for the prosecution and  
21 defense of this litigation. The information I obtain by my involvement  
22 in this litigation shall be used for purposes of this litigation only and  
23 shall not be used for business, competitive or other purposes. I  
24 understand that such use may subject me to a civil action for  
injunctive relief and/or damages.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Name: \_\_\_\_\_

3. Nothing contained in this Order shall prevent the use of materials  
designated as "Confidential" at trial, in motions or depositions, with the following

1 safeguards. If such confidential information is used in depositions, the parties shall  
2 make arrangements with the court reporter to ensure that all portions of the  
3 transcripts of such depositions and exhibits thereto which refer or relate to such  
4 confidential information shall be bound separately and labeled as "Confidential  
5 Information." In addition, the deponent will be advised that, pursuant to this Order,  
6 he/she may not divulge any such confidential information except to the persons  
7 entitled to it under paragraph 2, above.

8 4. At the conclusion of this action, including any appeals, and after the  
9 termination of litigation has become final, any party may request the return of all  
10 documents labeled as "Confidential Information" that have been produced in this  
11 litigation, except those filed with the Court. If such a request is made in writing,  
12 the recipient of such request shall return the documents within sixty (60) days  
13 from the date of the request.

14 Dated this 11th day of October, 2011.

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17 s/ Wm. Fremming Nielsen  
United States District Judge

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